

RESOLUTION NO. A-_____

USE PERMIT NO. 132

1 WHEREAS, Livingston Investment, Inc. has submitted an application in
2 accordance with Section 27.31.100 of the Lincoln Municipal Code designated as Use
3 Permit No. 132 for authority to develop 267,812 square feet of floor area including
4 retail, office buildings, banks and financial companies, restaurants, dry cleaners and on-
5 and off sale of alcoholic beverages, with a waiver of the sign regulation to allow a sign
6 at the south entrance to the site from Pine Lake Road, on property generally located
7 southeast of 70th Street and Highway 2, and legally described to wit:

8 Lot 75 I.T., in the Southwest Quarter of Section 15,
9 Township 9 North, Range 7 East of the 6th P.M., Lancaster
10 County, Nebraska
11

12 WHEREAS, the real property adjacent to the area included within the site
13 plan for this commercial development will not be adversely affected; and

14 WHEREAS, said site plan together with the terms and conditions
15 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
16 Municipal Code to promote the public health, safety, and general welfare.

17 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
18 Lincoln, Nebraska:

19 That the application of Livingston Investment, Inc., hereinafter referred to
20 as "Permittee", to develop a shopping center consisting of 267,812 square feet of floor
21 area on the property legally described above be and the same is hereby granted under
22 the provisions of Section 27.31.100 of the Lincoln Municipal Code upon condition that
23 construction and operation of said shopping center be in strict compliance with said

1 application, the site plan, and the following additional express terms, conditions, and
2 requirements:

3 1. This permit approves:

4 a. A shopping center with 267,812 square feet of floor area.

5 No facility or business shall be allowed with on-sale alcohol
6 as its primary source of business or service.

7 b. A 100' building setback and a 75' paving setback along
8 Highway 2.

9 c. A 50' paving setback along 70th Street and Pine Lake Road
10 except the entrance drives.

11 2. Before receiving building permits:

12 a. The Permittee must submit a revised and reproducible final
13 plan with five copies to the Planning Department.

14 b. The construction plans must conform to the approved plans.

15 3. Before occupying the buildings all development and construction
16 must be completed in conformance with the approved plans, and in accordance with
17 the "Willowbrook Shopping Center" renderings submitted at Planning Commission on
18 October 4, 2000, a copy of which are attached hereto marked as Attachment "A" and
19 incorporated herein by this reference.

20 4. All privately-owned improvements must be permanently maintained
21 by the owner or an appropriately established owners association approved by the City
22 Attorney.

23 5. The site plan approved by this permit shall be the basis for all

1 interpretations of setbacks, yards, locations of buildings, location of parking and
2 circulation elements, and similar matters.

3 6. The terms, conditions, and requirements of this resolution shall be
4 binding and obligatory upon the Permittee, its successors and assigns. The building
5 official shall report violations to the City Council which may revoke this use permit or
6 take such other action as may be necessary to gain compliance.

7 7. The Permittee shall sign and return the City's letter of acceptance
8 to the City Clerk within 30 days following approval of this use permit, provided, however,
9 said 30-day period may be extended up to six months by administrative amendment.
10 The City Clerk shall file a copy of the resolution approving this use permit and the letter
11 of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by
12 the Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant